

REMARKS

This case is in condition for allowance.

New claim 18 finds basis throughout the original application.

The remaining examined claims relate to an invention neither disclosed nor suggested by the reference. The layer in claim 1 may be prepared from a liquid coating, e.g., "mixture." The reference to % w/w with substance in the mixture (original claim) implies a liquid or syrup, as would be understood by a person skilled in the art.

It is not disclosed or suggested by the cited reference, as the latter concerns a liquid coating followed by separately adding a solid material.

Amended claim 1 therefore merely adds words consistent with its original implicit definition of the mixture.

A Notice of Allowance is in order. Assuming this case will be allowed, the Examiner is then authorized to cancel non-elected claims by Examiner's Amendment.

Respectfully submitted,

FITCH, EVEN, TABIN & FLANNERY

By: 

Kendrew H. Colton

Registration No. 30,368

Fitch, Even, Tabin & Flannery
1801 K Street, N.W.
Suite 401L
Washington, D.C. 20006-1201
Telephone No. (202) 419-7000
Facsimile No. (202) 419-7007

APPENDIX

Amendments to the claims:

1. (Amended) Sugar-free hard-coated comestibles consisting of a hard coating and an edible, chewable and/or pharmaceutical core characterised in that at least one layer of the hard coating is ~~comprising a~~ obtained from a liquid mixture of sorbitol and erythritol wherein the dry substance of the mixture is comprising between 1% to 50% w/w erythritol.

New claim 18 is added.